

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

TERA McMILLAN)	
Plaintiff)	
)	
v.)	Civil Action No: 2:07-cv-001-WKW
)	
ALABAMA DEPARTMENT OF)	(JURY DEMAND)
YOUTH SERVICES and MICHAEL)	
HARDY)	
Defendants)	

REPORT OF PARTIES' RULE 26(f) PLANNING MEETING

1. Pursuant to Fed.R.Civ.P. 26(f), a meeting was held by telephone on February 16, 2006, and was attended by:

- A. Jimmy Jacobs for plaintiff
- B. T. Dudley Perry and James E. Wilson for the defendants

2. **Pre-discovery Disclosures.** The parties will exchange the information required by Fed.R.Civ.P. 26(a) (1) within 21 days of entry of the Court's Scheduling Order.

3. **Discovery Plan.** The parties jointly propose to the court the following discovery plan:

Discovery will be needed on the following subjects:

- a) The factual allegations brought by Plaintiff against Defendant Hardy and the Department of Youth Services;
- b) Denials and defenses raised by the Defendants, including immunity issues for the Defendants; and,

c) Plaintiff and Defendant will conduct discovery on all other issues relevant to their claims and defenses.

The parties request that all discovery be commenced in time to be completed sixty days following the dispositive motion deadline.

The Plaintiff proposes a maximum of 40 interrogatories, responses due 30 days after service, may be submitted by each party to any other party. The Defendants propose a maximum of 25 interrogatories, responses due 30 days after service, may be submitted by each party to any other party.

The parties agree that a maximum of 30 requests for admission may be submitted by each party to any other party. Responses are due 30 days after service.

The Plaintiff does not agree to any additional limitation on requests for production of documents and other things beyond those set out in FRCP 34. The Defendants propose that the parties be limited to 20 requests for production, due within 30 days of service.

A maximum of 10 depositions each may be conducted by plaintiff and by defendant. Each deposition of a non-party witness will be limited to maximum of four hours. Depositions of parties will be limited to seven (7) hours within one (1) day unless extended by agreement of parties.

Reports from retained experts under Rule 26(a) (2) will be due from Plaintiff by June 4, 2007, and from Defendant by June 18, 2007. The parties agree to reasonable extension of discovery relative to any previously undisclosed matters asserted in the expert reports.

Supplementations under Rule 26(e) of automatic disclosures and/or discovery

responses are due as provided in the rule.

4. Other items. The parties do not request a conference with the Court before entry of the Scheduling Order.

The parties request a pretrial conference on or about February 12, 2008.

The parties should be allowed until April 1, 2007 to join additional parties and to amend the pleadings.

All potentially dispositive motions should be filed by 90 days before the pretrial conference.

The parties have not determined the viability of settlement at this time.

Final lists of witnesses and exhibits under Rule 26(a) (3) should be due from plaintiff and defendant by March 1, 2008.

Parties should have 14 days after service of final lists of witnesses and exhibits to list objections under Rule 26(a) (3).

The case should be ready for trial by March 24, 2008, and at this time is expected to take approximately 3 days.

Respectfully submitted this 22nd day of February 2007.

/S/ JIMMY JACOBS

JIMMY JACOBS (JAC051)

Attorney for Plaintiff

OF COUNSEL:

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